

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

CHARLES MARTIN,

Plaintiff,

VS.

ERNEST H. GUTTERREZ, JR., *et al*,

Defendants.

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CIVIL ACTION NO. C-11-355

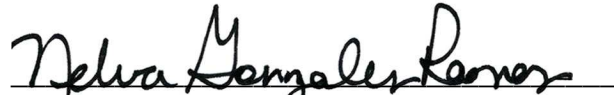
**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION AND
DISMISSING PLAINTIFF'S CLAIMS**

Pending before the Court is Plaintiff's Complaint (D.E. 1). After conducting a Spears hearing, United States Magistrate Judge Brian L. Owsley issued a Memorandum and Recommendation (D.E. 14) on November 21, 2011, recommending that Plaintiff's claims be dismissed. Plaintiff filed his Objections (D.E. 17) on December 7, 2011.

Having reviewed the findings of fact, conclusions of law, and recommendations set forth in the Magistrate Judge's Memorandum and Recommendation, as well as Plaintiff's Objections, and all other relevant documents in the record, and having made a *de novo* disposition of the portions of the Magistrate Judge's Memorandum and Recommendation to which objections were specifically directed, the Court **OVERRULES** Plaintiff's Objections and **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, pursuant to 28 U.S.C. §

1915(e)(2)(B) and § 1915A(b)(1), Plaintiff's claims are **DISMISSED**
WITHOUT PREJUDICE.

ORDERED this 13th day of December, 2011.

A handwritten signature in black ink, reading "Nelva Gonzales Ramos", written over a horizontal line.

NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE